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*Reply Under 37 CFR 1.116
Expedited Procedure
Technology Center 1600*

PATENT
Attorney Docket No. 49493.0032

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Leushner et al.

Application No.: 09/802,110

Filed: March 7, 2001

For: METHOD, COMPOSITIONS AND KIT FOR
DETECTION AND IDENTIFICATION OF
MICROORGANISMS

Examiner: Cynthia B. Wilder

Art Unit: 1637

**REQUEST FOR RECONSIDERATION OF FINAL REJECTION AND
RESPONSE TO OFFICE ACTION**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant submits the following Request for Reconsideration of Final Rejection Response to Office Action, in response to the final Office Action, mailed August 29, 2005, the three-month shortened statutory period for response to which expired on November 29, 2005. This response is being filed within two-months of the mailing date of the Office Action, and therefore is entitled to receive benefit of the extended shortened statutory period provided under 37 CFR 1.136(a). Applicant respectfully requests reconsideration in view of the remarks set forth herein.

A Claim Listing begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.



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TRANSMITTAL LETTER AND CERTIFICATE OF MAILING

To: Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

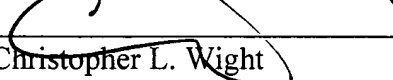
From: Christopher L. Wight
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60 East South Temple, Suite 2000
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Salt Lake City, UT 84147-0583
Telephone: (801) 595-7823
Facsimile: (801) 364-9124

Enclosed are the items listed below submitted regarding the matter identified above:

1. Transmittal Letter and Certificate of Mailing (1 page);
2. Request for Reconsideration of Final Rejection and Response to Office Action (12 pages); and
3. PTO Return Postcard Receipt

Deposit Account Authorization - The Commissioner is hereby authorized to charge payment of any applicable fees to Deposit Account No. 08-2623.

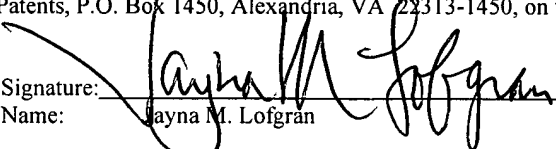
Date: October 28, 2005

By: 
Christopher L. Wight
Reg. No. 31,680

CERTIFICATE OF MAILING

I hereby certify the items listed above as enclosed are being deposited with the U.S. Postal Service, first class mail, in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below indicated date.

Date: October 28, 2005

Signature: 
Name: Jayna M. Lofgran